

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:)
Ramnath IYER et al.)
Serial Number: 10/788,734)
Filed: February 27, 2004)
For: **LUBRICANT COMPOSITIONS FOR**)
PROVIDING ANTI-SHUDDER)
PERFORMANCE AND ELASTOMERIC)
COMPONENT COMPATIBILITY)

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that that the complete patent application stapled hereto and identified below is being deposited by me with the United States Postal Service as First-Class Mail on June 8, 2004, with sufficient postage in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Beth Earnest

Beth Earnest

Mail Stop PETITIONS
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

PETITION DIRECTED TO RESPONSE TO NOTICE OF INCOMPLETE
NONPROVISIONAL APPLICATION Filed Under 37 CFR 1.53(b)

Sir:

Transmitted herewith is a Petition Directed to Notice to File Missing Parts of Nonprovisional Application, including the following:

- Copy of Notice of Incomplete Nonprovisional Application dated May 24, 2004
- Copy of two (2) Drawing Sheets, Figs. 1 and 2
- Copy of Application as filed on February 27, 2004
- Return Postcard

Petition

The Applicants received a Notice of Incomplete Nonprovisional Application (copy attached) dated May 24, 2004 indicating that a filing date had not been accorded to the above-identified application because the Drawing Sheets, Figs. 1 and 2, were inadvertently not included in the application as filed.

The undersigned attorney of record for the Applicants hereby respectfully petitions the Commissioner for Patents regarding reconsideration of the decision not to accord the above-identified application a filing date until receipt of the Drawing Sheets.

The Applicants' attorney respectfully submits that the two Drawing Sheets, Figs. 1 and 2 (copies attached) are not necessary for establishment of a filing date because they are not necessary for the understanding of the subject matter sought to be patented. Further, the filing of these Drawing Sheets does not add new matter to the application. Figs. 1 and 2 are merely illustrative of the full and complete disclosure given in the text of the specification, for example, in specification pages 10 and 11 (copy of specification attached). However, Figs. 1 and 2 are not necessary to meet the requirements of 35 U.S.C. 112 and, therefore, could even have been omitted.

The Applicants' attorney, therefore, petitions that the present application be accorded a filing date of its mailing date, i.e., February 27, 2004.

Fees

The Commissioner is hereby authorized to charge a petition fee of \$130.00. However, since this application is entitled to a filing date, the undersigned requests a refund of the petition fee. Further, if the calculations are incorrect, the Commissioner is hereby authorized to charge any deficiencies in fees or credit any overpayment associated with this communication to Deposit Account No. 05-1372. This paper is submitted in duplicate.

Respectfully submitted,

ETHYL PETROLEUM ADDITIVES, INC.



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Date: June 8, 2004